

SUPPORT FOR THE AMENDMENTS

The amendments to the pending claims and newly-added Claims 9-23 are supported by the specification, especially page 6. No new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 1, 3 and 5-23 are pending. Favorable reconsideration is respectfully requested.

The present invention relates to a lubricating oil additive comprising a reaction product of a succinimide compound and a phosphorus atom-containing compound selected from the group consisting of phosphorus sulfide and a phospho sulfurized hydrocarbon compound. See Claim 1.

The rejections of the claims under 35 U.S.C. §102(b) over Kablaoui et al., Hata et al. or Ishida et al. is respectfully traversed. The cited references fail to disclose the claimed lubricating oil additive.

Kablaoui et al. discloses the use of ZDDP as an additive for automatic transmission fluid. See column 4, lines 30-45. The reference fails to disclose the use of phosphorus sulfide and a phospho sulfurized hydrocarbon compound. In addition, the reference fails to disclose the reaction product of a succinimide compound and phosphorous atom-containing compound, but rather an imidation of a reaction product of alkenyl succinic anhydride and phosphorous pentasulfide.

Hatta discloses the use of phosphates and phosphates. The reference fails to disclose the use of phosphorus sulfide and a phospho sulfurized hydrocarbon compound.

Ishida et al. disclose the use of dithiophosphates such as ZDDP and phosphate esters. The reference fails to disclose the use of phosphorus sulfide and a phospho sulfurized hydrocarbon compound.

Moreover, phosphorous sulfide and phospho sulfurized hydrocarbon compounds are superior to phosphites and dithiophosphates in torque capacity, as shown by Table 1 of the specification.

Application No. 10/574,843
Reply to Office Action of July 24, 2008

In view of the foregoing, Kablaoui et al., Hata et al. and Ishida et al. each fail to disclose the claimed lubricating oil additive. Accordingly, the claims are not anticipated by those references. Withdrawal of these grounds of rejection is respectfully requested.

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

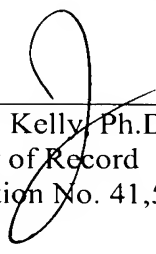
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)



James J. Kelly, Ph.D.
Attorney of Record
Registration No. 41,504